Montcalm County Sheriff

Mike Williams

659 N. State St.

Stanton, MI 48888

Date: 06/12/2017

**MEMORANDUM OF LAW**

To Support MALFEASANCE and MISFEASANCE of the Circuit Court Judge,

accompanied with reasons for notifying the appropriate law enforcement agency

of RACKETEERING done by the Reynolds Township and Montcalm County Treasurer.

**TO WHOM IT MAY CONCERN:** The following information addresses the FACTS and the LAWS which were ignored and dismissed at a hearing, Case No. 17-S-22652-CK, before Ronald J. Schafer on the 1st. of June, 2017 who according to the following ‘Statements of Account’ is involved in RACKETEERING in concert with Reynolds Township and the Montcalm County Treasurer by the use a multitude of fraudulent ‘statements’ in the “malfeasance and misfeasance” of his office; a misprision of criminal activity conducted by Ronald J. Schafer.

Within the current structure of lawful government the Sheriff of Montcalm County must be notified of this criminal enterprise which is required under MCL 750.159m (b). This matter must be resolved by the Sheriff as mandated in the ‘oath of office’ taken the Sheriff.

[BLD 4th.]  **MALFEASANCE,** - Evil doing; ill conduct; the commission of some act which is positively unlawful; the doing of an act which is wholly wrongful and unlawful; the doing of an act which person ought not to do at all or the unjust performance of some act which the party had no right or which he had contracted not to do. Comprehensive term including any wrongful conduct that affects, interrupts or interferes with the performance of official duties” - **“MISFEASANCE”** means the improper doing of an act which the agent might lawfully do, or, in other words. It is the performing of his duty to his principal in such a manner as to infringe upon the rights and privileges of third persons; and “malfeasance” is a doing of an act which he ought not to do at all.

\* \* \* \* \* \* \* \* \*

**A Property tax bill is RACKETEERING by a ‘direct tax’ on ‘private property’**

**initiated by ‘mail fraud’- 18USC Sec.1341 and Sec. 242 – ‘the Deprivation of rights under color of law’.**

In **750.159m Property subject to civil in rem forfeiture,** it states, - **“**(3) Property is not subject to civil in rem forfeiture if either of the following circumstances exists: (a) The owner of the property did not have prior actual knowledge of the commission of the racketeering activity.

(b) The owner of the property served notice of the commission of the crime upon an appropriate law enforcement agency.

- (4) The civil in rem forfeiture of **property encumbered by a security interest** is subject to the interest of the holder of the security interest who did not have prior actual knowledge of the racketeering activity.”

**MCL 750.159q Burden of proof; evidence; return or disposal of property; notice; estoppel from denial of allegations in civil trial; admissibility of testimony.**

Sec. 159q. “(1) At the civil in rem forfeiture proceeding, the court shall act as trier of fact. The prosecuting agency has the burden of proving both of the following by clear and convincing evidence:

**(a) The property is subject to civil in rem forfeiture under section 159m**.”

In **750.159k Order of criminal forfeiture; notice; hearing to determine validity of claim of property interest,** it states, - “(4) If the court determines 1 or more of the following, by a preponderance of the evidence, the court shall amend the order of criminal forfeiture in accordance with its determination to protect the rights of innocent persons:

(a) The petitioner has a legal right, title, or interest in the property that, at the time of the commission of the acts giving rise to the forfeiture of the property, was vested in the petitioner and not in the defendant or was superior to the right, title, or interest of the defendant, and the petitioner did not have prior actual knowledge of the racketeering activity.

(b) The petitioner is a bona fide purchaser for value of the right, title, or interest in the property and was at the time of the purchase reasonably without cause to believe that the property was subject to forfeiture under

section 159j. (c) The **property is encumbered by a security interest** and the holder of the security interest did not have

prior actual knowledge of the racketeering activity.”

In either ‘civil’ or ‘criminal’ proceedings it is necessary to have legal right, title, or interest in the property, and in addition ‘the property is encumbered by a security interest’ (UCC-1) and because a party has actual prior knowledge the appropriate law enforcement agency must be notified of the racketeering activity, for if a party has been paying the property taxes he/she would have prior actual knowledge.

In the above Case, No. 17-S-22652-CK, I requested a ‘Trial by Jury’ in an effort to settle the matter regarding the Townships authority to tax private property that has been removed from the PUBLIC DOMAIN. This case was dismissed in the absence of any Affidavit or facts to support the decision.

**The following laws and facts were issues that were ignored by Ronald J. Schafer at trial:**

**1.]** I did not get a ‘trial by jury’ as demanded.

**2.]** The Defendants and the Attorney for the Township did not appear at the hearing, as such defaulted.

**3.]** The judicial authority of the Circuit Court and the Judge, was addressed in the following MCL’s, this was also ignored.

**MCL 600.410 Plan of concurrent jurisdiction; delegation; prohibition.** A plan of concurrent jurisdiction adopted under this chapter shall **not** include a delegation of any of the following: - (a) A power of appointment to a public office delegated by constitution or statute to the Circuit court or a circuit judge.

(c) A power to appointment to a public office delegated by law to the district court or a district judge, unless that power of appointment is **delegated** to a court or judge **other than** the circuit court or a circuit judge.

**MCL 600.413 Concurrent jurisdiction plans; design; objection to plan.** (1) Concurrent jurisdiction plans shall be designed to benefit the citizens **utilizing the courts involved** rather than the courts themselves or any judge or judges.

[BLD 4th.] **CONCURRENT JURISDICTION**, “The jurisdiction of several different tribunals, each authorized to deal with the same subject-matter at the choice of the suitor.”

[BLD 4th.] **DELEGATION,** - “A sending away; a putting into commission; the assignment of a debt to another; the intrusting another with a general power to act for the good of those who depute him; a body of delegates.”

**DELEGATE,** - “A person who is delegated or commissioned to act in the stead of another.”

As a Circuit Court Judge you only have jurisdiction to lawfully adjudicate this matter to the benefit of the Citizen/Grievant [MCL 600.413], which is in agreement with 28USC Sec. 636 (c)(2) which states in pertinent part, that the court is to advise the parties that they are free to withhold consent **without adverse substantive consequences.**

The Circuit Court and the Circuit Judge have not been given delegated jurisdictional authority to act judicial unless it is to the benefit of the citizens utilizing the courts involved.

**In this ‘Common Law Court of Record’, I am requesting the Man, Ronald J. Schafer as Magistrate to settle the issue regarding the agreement I have with the Reynolds Township Board Members to have the private property in controversy removed from the public tax roll which is to the benefit of the Grievant [MCL 600.413 and 28USC Sec. 636 (c)(2)] by signing the ORDER FOR DEFAULT JUDGMENT.** [This was ignored]

**- 28USC Sec. 636** **(c)(2)** states, - “If a magistrate is designated to exercise civil jurisdiction under paragraph (1) of this subsection, the clerk of court shall, at the time the action is filed, notify the parties of the availability of a magistrate to exercise such jurisdiction. The decision of the parties shall be communicated to the clerk of court. Thereafter, either the **district court judge** or the magistrate may again advise the parties of the availability of the magistrate, but in so doing, **shall** also [***this is in addition***] advise the parties that they are free to withhold consent **without adverse substantive consequences.** Rules of court for the reference of civil matters to magistrates shall include procedure to protect the voluntariness of the parties consent.”

- - In regards to the concurrent jurisdiction at hand I have an ORDER FOR DEFAULT JUDGMENT for you to sign. - [This was ignored]

**4.]** In the absence of the Judge’s signature on the ORDER FOR DEFAULT JUDGMENT this matter will be taken before a Jury of my peers. MCR 2.508 JURY TRIAL OF RIGHT and the 7th. Amendment. I have reserved my right to demand a Trial by Jury. According to **MCR 6.001 (E)** The Directives of the Constitution supersede Michigan Court Rules.

**- MCR 6.001 (E) “. . . As with the other Michigan court rules, constitutional requirements apply independently of these rules and, in the event of any conflict, prevail over the requirements of these rules.”**

The Directives of the Constitution supersede Michigan Court Rules.

My documents give notice to my Superior Common Law Court of Record, under Article 3, which precedes this inferior CORPORATE Court by 18 years, for the Territory of Michigan was incorporated back in **1805, the 30th. of June.**

As noted in the United States **Constitution of 1787** under Article 3, it only acknowledges **‘Citizens and States’** as being parties in the Court, to the exclusion of CORPORATIONS.

The corruption of the Courts are noted in Michigan Constitution Art. 6, Sec. 5 where they are designed to further the financial interest of the bar members.

Michigan Constitution, **Article 6, Sec. 5,** “. . . The distinctions between law and equity proceedings shall, as far as practicable, be abolished. . .” - **Constitutionality:** . . . “The regulation of the practice of law, the maintenance of high standards in the legal profession, and the **discharge** of the profession’s duty to protect and inform the public are purposes in which the State of Michigan has a compelling interest justifying unavoidable intrusions on the **First Amendment** rights of attorneys; on the other hand , political and **legislative activities are impermissible intrusions,** as are activities designed to further commercial and economic interests of the members of the bar.” - [See MCL 450.681]

An ‘Attorney at Law’ considers ‘legislative activities as impermissible intrusions’, they are not ‘in law’.

**BAR - British Accredited Registry.**

My case was filed under “CONTRACTS”- (CK), the status of the Judge, is as an “Contract Administrator” and along with the Attorney are required to be Bonded. There wasn’t any evidence in the record that the Judge or Attorney had a bond.

**Rundle v. Delaware, page 55 U.S. 98-99 -** Under our own systems of polity, the term "citizen," implying the same or similar relations to the government and to society which appertain to the term, "subject" in England, is familiar to all. Under either system, the term used is designed to apply to man in his individual character and to his natural capacities -- to a being or agent possessing social and political rights and sustaining social, political, and moral obligations. It is in this acceptation only, therefore, that the term "citizen," in the article of the Constitution, can be received and understood. When distributing the judicial power, that article extends it to controversies between "citizens" of different states. This must mean the natural physical beings composing those separate communities, and can by no violence of interpretation be made to signify artificial, incorporeal, theoretical, and invisible creations. **A corporation, therefore, being not a natural person**, but a mere creature of the mind, invisible and intangible, cannot be a citizen of a state, or of the United States, and cannot fall within the terms or the power of the above mentioned article, **and can therefore neither plead nor be impleaded in the courts of the United States.** Against this position it may be urged that the converse thereof has been ruled by this Court, and that this matter is no longer open for question. In answer to such an argument, I would reply that this is a matter involving a **construction of the Constitution**, and that wherever the construction or the integrity of that sacred instrument is involved, I can hold myself trammeled by no precedent or number of precedents. **That instrument is above all precedents, and its integrity everyone is bound to vindicate against any number of precedents if believed to trench upon its supremacy.** Let us examine into what this Court has propounded in reference to its jurisdiction in cases in which corporations have been parties, and endeavor to ascertain the influence that may be claimed for what they have heretofore ruled in support of such jurisdiction. – [This was ignored]

**5.]** [CIRCUIT COURT IS WITHOUT DELEGATED AUTHORITY], **MCL 600.410**] - As noted on the initial filings, it is the CORPORATE - RONALD J. SCHAFER- P56466 that has set this COURT within an inferior CORPORATE realm to day.

Under **‘Concurrent Jurisdictions’** I demand an Article 3 Magistrate, if you will not accommodate this venue you will have to assign someone else **and recues** yourself, I paid for and want an Article 3 Common Law Court of Record. I demand that it the man who walked through the door and not the Corporate legal entity, RONALD J. SCHAFER, P56466 stamped on my paperwork to act as Magistrate in this Superior Common Law Court of Record.

[BLD 6th.] **RECUSAL**, “The process by which a judge is disqualified on objection of either party (or disqualifies himself or herself) from hearing a lawsuit because of self interest, bias or prejudice.” - [This was ignored]

**6.]** The first issue is the matter of an ‘In Camera Hearing’ regarding **classified information** that has been used and secured by the Reynolds Township Board Member that validates the property tax ‘bills’ Grievant is in receipt of. - [This was ignored]

**7.]** The ‘bills’ come without a ‘Signature’ to validate them, as such, do not conform to a **‘Bill of Exchange’,** a requirement which would make them “Negotiable Instruments”, as such these are fraudulent receipts [MCL 750. 278] in an attempt to extort money from me.

**MCR 2.114 (C) Signature**. (2) Failure to Sign. “If a document is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the party.” - - I brought this to their attention weeks ago.

**UCC 3-401**, (a) A person is not liable on an instrument unless (i) the person signed the instrument.

**UCC Section 3-104, ‘Official Comment’** – “. . . Thus, the term “negotiable instrument” is limited to a **signed** writing that orders or promises payment of money.

[BLD 4th.] **‘BILL OF EXCHANGE’**, “An unconditional order in writing addressed by one person to another, **signed by the person giving it**, requiring the person to whom it is addressed to pay on demand or at a fixed or determinable future time as sum certain in money to order or to bearer.”

**MCR 2.114 Signatures of Attorneys and Parties; Verification; Effect; Sanctions.**  (A) Applicability. This rule applies to all pleadings, motions, affidavits, and other papers provided for by these rules. (C) Signature. – (2) Failure to Sign, If a document is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the party. - [This was ignored]

**8.]** In regards to unsigned tax bills that I am in receipt of, [sample] at the bottom there is a coupon to detach and used to pay against. Coupons that are used on a bill indicate that there is a CONTRACT that supports them. I am not aware of any Contract that I have with Reynolds Township that which would validate the ‘bills’.

[BLD 6th.] **COUPONS**, “Interest and dividend certificates; also those parts of a commercial instrument which are to be cut, and which are evidence of something connected with the **contract** mentioned in the instrument.”

There is a **‘MORT CODE’** on the COUPON which applies to a dead person, a legal entity, so it’s not something that I would use. Because it’s codified, this whole instrument comes under suspension. – [This was ignored]

**9.]** The second issue is the matter of the **‘Request of admissions’** sent to the Reynolds Township Board Members which has not been responded to. – [This was ignored]

**10.]** The next issue to settle is the present DEFAULT of the Reynolds Township Board Members. All un-rebutted Affidavits have been filed and record as evidence which establish the fact that the Township taxes on private property are not supported by any law or contract, which is necessary to validate its claims. – [This was ignored]

**11.]** In the absence of any ‘Affidavits’ to validate the unsigned ‘bills’ from Reynolds Township, I have an **‘Order for Default Judgment’** against the Township, regarding agreements to Affidavits that I sent them requesting their authority to tax private property, all of which have gone un-responded to. **MCR 2.603 (A)(1)** - [This was ignored]

**12.]** The ‘Statements of Account’ Invoice No. 01925795 ‘Nisi Showcause Statement’, Invoice No. 01925054 ‘Notice of Default’ and Invoice No.: 01925788 ‘Notice of Default, Opportunity to Cure’ and Invoice No. 01925702 ‘Cost of Damages caused by Fraudulent Receipts’, have all gone without response or rebut, [“ESTOPPEL BY SILENCE”]; establishing the Boards agreement with Invoice No. 01925795. [See Exhibits] that taxes on the assigns to private patented property are unlawful. [Default – MCR 2.603 (A)(1)]

**THE MAXIMS OF COMMERCE:**

1. Truth is expressed by means of an affidavit.

2. And unrebutted affidavit stands as the truth in Commerce.

3. An unrebutted affidavit becomes the judgment in Commerce.

**\* In that there isn’t an affidavit of facts showing a meritorious defense, and/or the Respondents are not in court, a default order must be ordered. - MCR 2.603 (A)(1)**

I have an ORDER FOR DEFAULT JUDGMENT with me you can sign. - [This was ignored]

**13.]** The CORPORATE Township has failed to “state a claim in which relief can be granted”. – [This was ignored]

**14.] MCL 211.1 Property subject to taxation.** Sec. 1, “that all property, real and personal, within the **jurisdiction** of this state; not expressly exempted, shall be subject to taxation.”

**MCL 211.135, Recording of conveyances; tax certificate; excepted conveyances; register of deeds; violation; penalty.** (6) This Section **does not apply** to any of the following:

(f) To any **patent** executed by the president of the United States or the governor of this state.

**The assigns to PATENTED property which has been removed from PUBLIC DOMAIN are not within the jurisdiction of this State.**

- **‘Land patent’** is defined [BLD] as, *“a muniment of title issued by a government or state for the conveyance of some portion of the* ***public domain****.”*

- **‘Letters patent’** is defined [BLD] as *“open letters as distinguished from letters close. An instrument proceeding from the government, and conveying a right, authority, or grant to an individual, as a patent for* ***a tract of land****, or for the* ***exclusive right to*** *make and sell a new invention.”*

The **GRANT OF PRE-EMPTION RIGHTS** in the United States: [BLD 4th.] - “A privilege accorded by the government to the actual settler upon a certain limited portion of the public domain, to purchase such tract at a fixed price to the exclusion of all other applicants”

Michigan Constitution Article 10, Sec. 2, EMINENT DOMAIN; COMPENSATION. “Private property shall not be taken for public use without just compensation therefore being first made or secured in a manner prescribed by law. If private property consisting of an individual’s principal residence is taken for public use, the amount of compensation made and determined for that taking shall be not less than 125% of that property’s fair market value. . .” - [This was ignored]

**15.] MCL 750.275,** a ‘warranty deed’ is considered an **‘absolute warranty deed’** as noted in the following quote: **Section 275** - - “Use of words **"warranty deed"** or similar words--Any person who shall print, sell or keep for sale any blank forms of deeds containing the words "warranty deed", or "warranty-deed-covenant-own-acts", or any similar words printed or written thereon, unless such deed is in fact an **absolute** warranty deed, and any person who shall knowingly use any such deed for the purpose of conveying title unless the same is an absolute warranty deed, shall be guilty of a misdemeanor.”

[BLD 4th.] - “**Absolute** property is where a man hath solely and exclusively the right and also the occupation of movable chattels; distinguished from a qualified property, as that of a bailee.” - “In the law of insurance that is an **absolute** interest in property which is so completely vested in the individual that there could be **no danger of his being deprived of it** without his own consent.”

**COURT CASE:** - “A patent is absolute title to land, an exclusive title, or at least a title which excludes all others not compatible with it. A Perfect Title to land cannot exist at the same time in different persons or in different governments, a land patent excludes all others and governments. (BLD 4th) - - See *Bovey-Shute Lumber Co. v. Erickson, 41 N.D. 465, 170, N.W. 628, 630.* – [This was ignored]

**16.]** \* **MCR 2.107 (3)** regarding serving the attorney notice on behalf of a person. In an Article 3 Court the attorney has no standing. Documents were served to members of the Board in their Sui Juris status. - - [Only States and Citizens can be a party not a Professional Corporation]

\* **Sui Juris**, “Of his own right; possessing full social and civil rights; not under an legal disability, or the power of another, or guardianship. – Having capacity to manage one’s own affairs; not under legal disability to act for one’s self.” - [This was ignored]

**17.]** [CONTRACT WITH CLERK] - In an effort to establish and set my Article 3 Court as I’ve requested, I want the court record to show and take notice of the following.

According to the agreement I have with the Clerk, based upon accepting $175.00 dollars for filing this case, and $20.00 dollars for the hearing, - - **this is an Article 3, ‘Superior Common Law Court of Record** as noted on my Court documents. - [This was ignored]

**18.]** [ARTICLE 3 PARTIES, STATES AND CITIZENS] - An ‘Attorney at Law’ cannot represent anyone in an Article 3 Court, according to **MCR 6.005** one has the right to **assistance of a lawyer**, who is ‘in law’, not an Attorney ‘at law’ who acts as a substitute, who cannot testify. [Article 3, Sec. 2 – ‘in law’]

I have a right to question and face my accuser(s).

This is consistent with MCL 450.681 which states that, “It shall be unlawful for any corporation or voluntary association to practice or appear as an attorney-at-law for any person other than itself in any court in this state or before any judicial body, or to make it a business to practice as an attorney-at-law, for any person other than itself, in any of said courts or to hold itself out to the public as being entitled to practice law,”

[BLD 4TH.] **ATTORNEY**, “In the most general sense this term **denotes an agent or substitute**, or one who is appointed and authorized to act in the place or stead of another.”

**MCR 6.001 (E) Rules and Statutes Superseded.**  “The rules in this chapter supersede all prior court rules in this chapter and **any** statutory procedure pertaining to and inconsistent with a procedure provided by a rule in this chapter.”

**MCR 6.005 (A)(1)** [Advise the defendant] of entitlement to a lawyer’s **assistance** at all subsequent court proceedings.

[BLD 4th.] **LAWYER**, “A person learned **‘in the law’**; as an attorney, counsel, or solicitor; a person licensed to practice law.” - “Any person who, for fee or reward, prosecutes **or defends causes in ‘courts of record’** or **other judicial tribunals** **of** the United States, **or of any of the states**, or whose business it is to give legal advice in relation to any cause or matter whatever.”

[BLD 4th.] **PRACTICE,** “The form or mode or proceeding in courts of justice [Not courts of record] for the enforcement of rights or the redress of wrongs, **as distinguished from the substantive law** which gives the right or denounces the wrong.” - - “. . . to proceedings in equity as well as **at law**, . . .”

**Courts of Justice are at law,** are not engaged **in substantive law. - Article 3, Sec. 2, “The judicial Power shall extend to all Cases, in Law and Equity. . .”**

An Attorney acts as a Representative of the ‘JOHN DOE’ CORPORATION only, not the man/woman, as such the Attorney as representative would be subject to damages directed upon the CORPORATE DEFENDANT and no one else. **MCL 450.681 Practice of law by corporations.** - [This was ignored]

**19.]** [STATUS OF GRIEVANT] - As an ‘Attorney in fact’ with ‘Statements of Account’ with ‘facts’ supported by law is also called a lawyer.

- MCR 6.003 (2) “Defendant’s lawyer” includes a self-represented defendant proceeding without a lawyer.” - - - This by necessity would include “Plaintiff’s lawyer” proceeding without a lawyer.

**Rule 6.003 definitions,** (1) “Party” includes the lawyer representing the party. (2) “Defendant’s lawyer” includes a self-represented defendant proceeding without a lawyer. (3) “Prosecutor” includes **any** lawyer prosecuting the case. **- The Grievant [Plaintiff] is self-represented by a lawyer; the Man prosecuting his case as the ‘Court of Record’.**

[BLD 4th.] “A **‘court of record’** is a judicial **tribunal** having attributes and exercising functions **independently** of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law.” - [The Man is of the Sovereign; is the court, making a special appearance]

**MCL 750.368 Simulating legal process.**

(9) As used in this section:

(a) **“Lawful tribunal”** means a tribunal created, established, authorized, or sanctioned by law or a tribunal of a private organization, association, or entity to the extent that the organization, association, or entity seeks in a lawful manner to affect only the rights or property of persons who are members or associates of that organization, association, or entity. - [This was ignored]

**20.]** The ‘Request for Admissions’ that was sent to Reynolds Township was never answered by them which would have established and validated the Townships authority to tax private property. – [This was ignored]

**Nine Court cases which validate the land patent:**

1.] - - “A patent issued, by the government of the United States is legal and conclusive evidence of title to the land described therein. No equitable interest, however strong, to land described in such a patent, can prevail at law, against the patent.” - *[Land patents, opinions of the United States Attorney General’s office, Sept (1869)]*

2.] - - “A patent is the highest evidence of title, and is conclusive against the government and all claiming under junior patents or titles, until it is set, aside or annulled by some judicial tribunal.” - *[(Stone v United States, 2 Wallace (69 U.S.) 765 (1865)]*

3.] - - “Issuances of a government patent granting title to land is the most accredited type of conveyance known to our law.” - *[(United States v Creek Nation, 295 U.S. 103 (1935); see also United States v. Cherokee Nation, 474 F.2d 628 (1973)]*

4.] - - “A patent of the United States; as a deed its operation is that of a quitclaim or rather of a conveyance of such interest as the United States possessed in the land.” - *[(Beard v. Federy, 70 U.S. 478, 3 Wall, 478, 18 L.Ed.88. (1865)]*

5.] - - “A patent is absolute title to land, an exclusive title, or at least a title which excludes all others not compatible with it. A Perfect Title to land cannot exist at the same time in different persons or in different governments, a land patent excludes all others and governments. (BLD 4th) - - See *Bovey-Shute Lumber Co. v. Erickson, 41 N.D. 465, 170, N.W. 628, 630.*

6.] - - “A patent is a complete appropriation of the land it describes; and at law, no defect in the preliminary steps can be tried.” - *Stringer’s Lessee v. Young, 3 Peters, 320; Boardman v. Reed’s Lessees, 6 Peters, 328; 10 Cond. Reps. 135.*

7.] - - “Whatever may be the equities in third person, the patentee has the legal title; and a State law cannot confer on the equitable owner the rights to maintain an action of ejectment against the patentee.” - *Bagnell v. Broderick, 13 Peters, 436; 13 Condl Reps. 325.*

8.] - - “If the defendant have the prior patent for the land, the plaintiff can prevail in equity only by showing prior valid entries.” - *Hunt v. Wickliffe, 2 Peters, 201; 8 Cond. Reps. 85.*

9.] - - “The fee of lands sold by the United States, remains in the Government, until transferred by patent, which is a better legal title than a prior entry.” – *Carman v. Johnson, 20 Missouri Reports, 108.*

**List of private properties in controversy:**

PARCEL CODE NUMBER: 59-017-008-009-21

POSSIBLE OVERLAP IN DESC--SEE COMMENTS 682-822&695-1271 009-00/1992 009-20/1993PART OF S DES AS COM AT S 1/4 COR OF SEC 8; TH N 89 DEC W 1077.1 FT ALONG S SEC LINE TO POB; TH CONT FT; N 233.35 FT; S 89 DEC E 280 FT; S 233.35 FT TO P OF BEG SEC8 T12N RIO W 1.5 AC M/L 1/2 OF SW ¼ N 89 DEG W 280

PARCEL CODE NUMBER: 59-017-008-009-50

PARCEL B PART OF S 1/2 OF SW 1/4 DBS AS COM AT SW COR OF SEC 8; TH N 01 DEG W 300.02 FT ALONG W SEC LINE TO POB; TH N 85 DEG E 300 FT; N 01 DEG W 346.15 FT; 8 84 DEG W 300.08 FT TO W SEC LINE; S 01 DEG E 344.56 FT TO P OF BEG SEC 8 T12N R10W 2.38 AC *MIL*

PARCEL CODE NUMBER: 59-017-008-009-40

PARCEL A PART OF S 1/2 O F S W 1/4 DES A S C O M AT S W COR OF SEC 8: T H N 01 D E C W 644.58 FT A L O N G W SEC LINE T O ROB; TH N 85 DEC E 300.08 FT; N 01 D E C W 346.15 FT; S 84 DEC W 300.17 FT TO W SEC LINE; S 01 D E C E 344.56 FT TO P OF B E G SEC 8 T 1 2 N R 1 0W 2.38 AC M/L

PARCEL CODE NUMBER: 59-017-008-009-30

773-959 009-11/1996 PART OF SW 1/4 OF SW 1/4 DES AS COM AT SW COR OF SEC 8; TH N 01 DEC W 980.2 FT ALONG W SEC LINE TO POB; TH CONT N 01 DEC W ALONG W SEC LINE 330 FT TO W 1/8 COR OF SW 1/4; N 85 DEG E 660.77 FT ALONG S 1/8 LINE; S 01 DEG E 330 FT; S 85 DEG W 660.77 FT TO P OF BEG SEC 8 T12N R10W 5 AC M/L

PARCEL CODE NUMBER: 59-017-008-010-11

PART OF W 1/2 OF SE 1/4 DES AS COM AT E 1/4 COR OF SEC 8; TH N 89 DEC W 1302.58 FT ALONG E-W 1/4 LINE; S 02 DEG E 33 FT TO FOB; TH CONT S 02 DEG E 512.07 FT; S 87 DEG W 569.14 FT; S 04 DEG E 542.63 FT; S 86 DEG W 177.36 FT; S 04 DEG E 1238.15 FT; N 89 DEG W 637.81 FT TO N-S 1/4 LINE; N 01 DEG W 1704.98 FT; N 84 DEG E 474.69 FT; N 01 DEG W 463.64 FT TO A POINT 33 FT S OF E-W 1/4 LINE; N 83 DEG E 827.46 FT TO P OF BEG SEC 8T12N R10W 35.1 AC M/L

PARCEL CODE NUMBER: 59-017-008-009-13

S **1/2** OF SW **1**/4 EX COM AT S IM COR OF SEC 8; TH N 89 DEC W 1077**.1** FT ALONG S SEC LINE TO POB; TH CONT N 89 DEC W 280 FT; N 233.35 FT; S 89 DEC E 280 FT; S 233.35 FT TO P OF BEG & EX COM AT SW COR OF SEC 8; TH N **01** DEG W 980.2 FT ALONG W SEC LINE TO POB; TH CONT N 01 DEG W ALONG W SEC LINE 330 FT TO W **1**/8 COR OF SW 1/4; N 85 DEG E 660.77 FT ALONG S **1**/8 LINE; S 01 DEG E 330 FT; S 85 DEG W 660.77 FT TO P OF BEG & EX BEG AT SW COR OF SEC 8; TH N 85 DEG E 1307.04 FT ALONG S SEC LINE; TH N 01 DEG W 300 FT; N 85 DEG E 1006.68 FT; N 01 DE

I declare that the statements above are true to the best of my information, knowledge, and belief.

Attached to: - Without Prejudice & Without Recourse -

Racketeering Notice.

Prepared By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Auth. Rep.,

Andrew Stuart Ouwenga, Affiant, Sui Juris Secured Party Creditor, Attorney in fact, Michigan National

Cc:

Reynolds Township Mailing Address: 215 E. Edgerton St. c/o: 10213 Dagget Rd.

PO Box 69 Howard City, Michigan [49329]

Howard City, MI 4929

Common Law Right Joanne Vukin Thumb Print Seal: -- >

Montcalm County Treasurer

PO Box 368, 211 W. Main St.

Stanton, MI 48888

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